REMARKS

Reconsideration and allowance of the claims are requested in view of the above amendments and the following remarks. Claims 1 and 14 have been amended. Support for the amendments may be found in the specification and claims as originally filed. No new matter has been added.

Upon entry of this amendment, claims 1-18, 30, 36-38 and 40-45 will be pending in the present application, with claims 1 and 38 being independent. Claims 19-29, 31-35 and 39 were previously cancelled without prejudice or disclaimer.

1. **Rejections Under 35 U.S.C. §103**

A. **Obviousness in view of Carr, Kuzma, ATVEF and Keronen et al.**

The Office Action rejects claims 1, 3, 5, 7-11, 14-18, 36-38 and 40-45 under 35 U.S.C. §103(a) as being unpatentable over Carr (U.S. Patent Application Publication No. 2003/0133043) in view of Kuzma (U.S. Patent 5,889,950) further in view of ATVEF specification and further in view of Keronen et al. (U.S. Patent 6,567,530). Applicants respectfully traverse this rejection for at least the following reasons.

The Office Action on page 5 concedes that Carr fails to disclose the elements of a timeline data structure specifying specific times defined relative to a specific start time, and a particular order for delivering each of the trigger, announcement and package data structures to the receiver. However, the Office Action on page 5 asserts that Kuzma discloses these elements. Additionally, the Office Action on pages 2-3 asserts that Kuzma was brought in to teach "a timeline data structure specifying specific times defined relative to a specific start time of inserting content (citing Figure 4; col. 5, line 65 – col. 6, line 4; col. 6, lines 26-34).

Kuzma discloses scripting broadcast data relating to television programs and web pages (see abstract; col. 1, lines 5-10). Kuzma discloses a script that contains broadcast data relating to broadcast material transmitted by a first location (e.g., a national source) to remote locations (e.g., local affiliates). The script 400 contains a plurality of entries 410-440 that list information

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9/14

about individual television programs and web pages (see col. 5, lines 62-67; Figure 4). Each entry includes a name, source, description, and time stamp for a specific program or web page to be broadcasted. Kuzma discloses that the time stamp in each entry provides a time reference as to <u>when the specific program or web page is to be broadcast</u>. A local affiliate may use the time stamp to determine when it may insert local programming or its own web pages into the existing national program or web page (see col. 6, lines 26-34).

Therefore, Kuzma at most discloses a script including a time stamp indicating <u>when a specific program or web page as a whole</u> is to be broadcast (i.e., relative to other programs or web pages), but fails to disclose or suggest a timeline data structure that specifies a <u>particular order for delivering distinct elements of a specific program or web page</u>. As discussed in the specification of the present application, different elements of enhanced programming content, such as a package and a trigger, may be delivered in various order according to an embodiment (e.g., see page 32, line 24 – page 33, line 2). Consequently, Kuzma fails to disclose or suggest the elements of a timeline data structure specifying a <u>particular order for delivering</u> each of a trigger, announcement and package data structures to a receiver, wherein the enhanced programming content includes one or more triggers, announcements, packages and timelines corresponding to the trigger data structure, announcement data structure, package data structure and timeline data structure, respectively, as included in claims 1 and 38.

Furthermore, Kuzma fails to teach or suggest, in the sections cited by the Office Action or elsewhere, the elements of a timeline data structure specifying times <u>defined relative to a specific start time</u> for <u>delivery of the trigger data structure, announcement data structure and package data structure</u>, as included in claims 1 and 38. Kuzma states that the vast majority of programming is well structured in that an <u>absolute time</u> for various content intervals are known by prior agreement (see col. 1, lines 26-28). There is nothing in Kuzma indicating that the invention disclosed therein relies on anything else but an absolute time reference, let alone a timeline data structure specifying times <u>defined relative to a specific start time</u>. Additionally, as discussed above, Kuzma discloses that the time stamp provides a time reference as to when a specific program or web page <u>as a whole</u> is to be broadcasted (i.e., relative to other programs or

web pages). However, Kuzma fails to disclose or suggest that the time stamp specifies times defined relative to a specific start time for delivery of <u>distinct elements</u> of a specific program or web page. As discussed in the present specification:

> The timeline defines <u>when the announcements, triggers, packages</u>, and the various other modules and associated elements of the present invention <u>are to be delivered as part of the enhanced programming content</u>. (pg. 32, lines 6-8; emphasis added).

> The timeline further includes a number of events designating a delivery time, relative to the start time when each event is to be delivered to receiver module 216. The time may designate the hours, minutes, seconds, and optionally video frames <u>after the commencement of the enhanced programming experience is desired to deliver a particular element, such as the triggers</u>. (pg. 39, lines 10-14; emphasis added).

ATVEF and Keronen et al. fail to cure these defects in Carr and Kuzma. Moreover, ATVEF and Keronen et al. are not cited by the Office Action for the purpose of addressing the elements of claims 1 and 38 discussed above.

Therefore, since Carr, Kuzma, ATVEF and Keronen et al., alone or in combination, fail to disclose or suggest all of the elements of claims 1 and 38, these claims are allowable.

Claims 3, 5, 7-11, 14-18, 36-37 and 40-45 depend from claim 1. As discussed above, claim 1 is allowable. For at least this reason, and the additional features recited therein, claims 3, 5, 7-11, 14-18, 36-37 and 40-45 are also allowable.

For at least the reasons above, reconsideration and withdrawal of the rejection of claims 1, 3, 5, 7-11, 14-18, 36-38 and 40-45 under 35 U.S.C. §103(a) are respectfully requested.

B.   Obviousness in view of Carr, Kuzma, ATVEF, Keronen et al. and Valdez, Jr.

The Office Action rejects claims 2, 4 and 30 under 35 U.S.C. §103(a) as being unpatentable over Carr in view of Kuzma further in view of ATVEF specification and further in view of Keronen et al. and further in view of Valdez, Jr. (U.S. Patent 6,426,778). Applicants respectfully traverse this rejection for at least the following reasons.

As discussed above, Carr, Kuzma, ATVEF and Keronen et al., alone or in combination, fail to disclose or suggest all of the elements of claim 1. Valdez, Jr. fails to cure this defect.

Valdez, Jr. discloses an editing system and delivery system that synchronizes the transmission of interactive elements with a video signal, such that the interactive components may supplement information provided in the video signal at predefined periods. The interactive elements are transmitted in relation to the video such that the interactive elements will arrive in time to display the components concurrently with a portion of the video presentation (see col. 3, lines 44-52). However, Valdez, Jr. fails to disclose or suggest the elements of a timeline data structure specifying times defined relative to a specific start time for delivery of a trigger data structure, announcement data structure and package data structure, and a particular order for delivering each of the trigger, announcement and package data structures to a receiver, as included in claim 1. Therefore, since Carr, Kuzma, ATVEF, Keronen et al. and Valdez, Jr., alone or in combination, fail to disclose or suggest all of the elements of claim 1, this claim is allowable.

Claims 2, 4 and 30 depend from claim 1. As discussed above, claim 1 is allowable. For at least this reason, and the additional features recited therein, claims 2, 4 and 30 are also allowable.

For at least the reasons above, reconsideration and withdrawal of the rejection of claims 2, 4 and 30 under 35 U.S.C. §103(a) are respectfully requested.

C. Obviousness in view of Carr, Kuzma, ATVEF, Keronen et al. and Goodman et al.

The Office Action rejects claims 6 and 12-13 under 35 U.S.C. §103(a) as being unpatentable over Carr in view of Kuzma further in view of ATVEF specification and further in view of Keronen et al. and further in view of Goodman et al. (U.S. Patent 6,427,238). Applicants respectfully traverse this rejection for at least the following reasons.

As discussed above, Carr, Kuzma, ATVEF and Keronen et al., alone or in combination, fail to disclose or suggest all of the elements of claim 1. Goodman et al. fails to cure this defect.

Goodman et al. discloses a system and method implemented in an interactive television system for managing modules of interactive television applications. However, Goodman et al. fails to disclose or suggest the elements of a timeline data structure specifying times defined relative to a specific start time for delivery of a trigger data structure, announcement data structure and package data structure, and a particular order for delivering each of the trigger, announcement and package data structures to a receiver, as included in claim 1.

Therefore, since Carr, Kuzma, ATVEF, Keronen et al. and Goodman et al., alone or in combination, fail to disclose or suggest all of the elements of claim 1, this claim is allowable.

Claims 6 and 12-13 depend from claim 1. As discussed above, claim 1 is allowable. For at least this reason, and the additional features recited therein, claims 6 and 12-13 are also allowable.

For at least the reasons above, reconsideration and withdrawal of the rejection of claims 6 and 12-13 under 35 U.S.C. §103(a) are respectfully requested.

2.   Conclusion

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the present application is requested. Based on the foregoing, applicants respectfully request that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,

Microsoft Corporation

Date: June 12, 2007

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